

*DRAFT*

MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

15 MAY 2001

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Thomas M. Phillips, Donald R. Vaughan and Nancy Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

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The meeting was opened with a moment of silence and the pledge of allegiance to the flag.

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The City Manager recognized Fran Martti, employee in the Legal Department, who served as courier for the meeting.

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The Mayor outlined the procedures for conduct of the meeting.

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Mayor Holliday stated that the appeal for agenda item number ten, an ordinance rezoning from RS-7 Residential Single Family to RM-18 Residential Single Family to RM-18 Residential Multi-Family for property located on the east side of Obermeyer Street south of Bluford Street, had been withdrawn. Councilmember D. Vaughan moved that item number ten be withdrawn from the agenda. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of the Council.

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The Mayor presented 2001 Water Conservation Poster Contest Awards to first, second and third place winners Keemom Ingram, Brennen Lieske and Timbi Shepherd. The contest, Every Day is a Water Smart Day at Home, at School and at Play, was co-sponsored by Greensboro's Water Conservation Program and Guilford County Cooperative Extension in schools throughout the Triad area.

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Presenting the 2001-02 proposed budget, City Manager Kitchen outlined his recommendations. He highlighted aspects of the budget and the allocation of resources according to Council's adopted priorities which included natural resources and growth management, crime and public safety, community and race relations, maintenance of City facilities, assets and investments, customer service for citizens stewardship and financial management of those resources. The Manager explained that the proposal for limited new or enhanced programs was due to slowing revenue growth. He noted that the budget recommended no tax increase, resulting in maintenance of the current 58.25 cent tax rate.

Speaking to natural resources and growth management, City Manager Kitchen highlighted progress and

funding of Randleman Reservoir and internal water supplies negotiated with fellow communities, the need for expansion of additional sewer capacity, the need to continue to fund known closure and post closure costs for future needs of White Street Landfill, and the impact transfer stations possibly located in Guilford County in the future might have on land fill revenue and fees. The Manager noted that increases in solid waste and water and sewer rates would become effective in January of 2002 and that the natural resources and growth budget would continue to fund the account associated with developing the first comprehensive plan.

In the area of Public Safety, the Manager spoke to proposed absorption of funding non-sworn police positions previously funded federally. He noted the need to continue investment in public safety technology, spoke to funding the Guilford College Fire Station merger and construction of the new police and fire training facility, and explained that the addition of staffing in the engineering and inspections department was to address increasing workloads.

The Manager stated that a priority team headed by Police Chief White and Library Director Sandy Neerman was following through on an elaborate study on how to deal with neighborhoods and that the Housing and Community Development Department would jointly develop a model to start this program. He spoke to other recent staff additions included a diversity coordinator and an additional zoning inspector in the planning department to address increasing citizen complaints.

In the area of Maintenance of City Facilities and Assets, the Manager spoke to the ongoing process of upgrading the City's computer system to handle water, sewer, payroll and other basic information in city government. He noted that 2000 bond projects were in the beginning phase and a KPMG study of capital needs at the Coliseum War Memorial Stadium and golf courses would be completed later in the summer.

To address Customer Service priorities, the Manager detailed plans for a centralized call center in which citizens could call one phone number for all city services. He outlined the impact anticipated with respect to increased customer service efficiency, extended hours for call taking and a reduction in demand on the 911 call center.

Other aspects of the plan outlined by the Manager included continuation of managed competition in the budget process and consideration of revision of non-residential services versus the cost of revenues. He advised Council that the target date for adoption of the budget was June 5, 2001.

(A copy of the City Manager's statement for the Fiscal year 2001-2002 Budget is filed with Resolution number 116-01 and is hereby referred to and made a part of these minutes.)

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The Mayor introduced a resolution directing the filing with the City Clerk of the budget estimate for the fiscal year 2001 –2002. Councilmember Burroughs White moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

**116-01 RESOLUTION DIRECTING THE FILING WITH THE CITY CLERK OF THE BUDGET ESTIMATE FOR THE FISCAL YEAR 2001-2002**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:**

Section 1. The budget estimate of the City of Greensboro for the fiscal year beginning July 1, 2001, which was this day submitted to the City Council, is hereby ordered filed with the City Clerk where it shall remain for public inspection for at least ten days from this date.

Section 2. A copy of said budget estimate shall be made available to all news media in the County.

Section 3. This resolution shall be published in at least one newspaper published in the city and shall serve as notice that the budget estimate has been presented to the City Council, that a copy of same is on file for public inspection in the office of the City Clerk, and as notice of the time and place of the public hearing as set out below.

Section 4. A public hearing shall be held in the City Council Chamber at 6:00 p.m. on May 22, 2001, at which time the City Council will hear from any persons who may wish to be heard on the budget.

(Signed) Claudette Burroughs-White

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits of property located on the west side of Yanceyville Street- 48.51 acres, and introduced so that these matters could be discussed together, an ordinance establishing original zoning classification from County Zoning Shopping Center to City Zoning Conditional Use – RM-12 Residential Multifamily for property located on the west side of Yanceyville Road between Peach Orchard Drive and Lorraine Street; and an ordinance establishing original zoning classification from County Zoning Shopping Center and RM-8 Residential Multifamily for property located on the west side of Yanceyville Road between Peach Orchard Drive and Lorraine Street. He noted that these matters were continued from the May 1, 2001 Council meeting.

Mayor Holliday administered the oath to those who wished to be heard.

C. Thomas Martin, Planning Director, outlined the annexation and proposed zoning, presented slides and a map of the property and surrounding area, and provided the following staff presentation:

#### STAFF PRESENTATION

##### REQUEST - ITEM 8

This request is to establish original zoning for the property from County Zoning Shopping Center to City Zoning Conditional Use – RM-12 Residential Multifamily.

The Shopping Center District is primarily intended to accommodate a wide range of high intensity retail and service developments meeting the shopping needs of the community and the region.

The RM-12 District is primarily intended to accommodate multifamily uses at a density of 12.0 units per acre or less.

#### CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses limited to apartments and accessory uses.
- 2) That only 192 dwelling units be constructed.
- 3) That no trees be cut west of the existing creek and no building construction west of the creek.

#### DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 18 acres and is located on the west side of Yanceyville Road between Peach Orchard Drive and Lorraine Street.

	Zoning	Land Use
Subject Property	SC	Vacant land
North	SC	Urban Loop Right-of-Way
East	RS-40	Single family dwelling & vacant land

South	RS-40 CU-RM-12	3 single family dwellings Northwinds Apartments
West	RM-8	Urban Loop Right-of-Way

Mr. Martin stated the Planning Department and Zoning Commission recommended approval of agenda items 7, 8 and 9. He presented a map and slides of the property and surrounding area.

The Mayor asked if anyone wished to speak to these matters.

Chuck Forrester, residing at 3406 Dogwood Drive, spoke in favor of the conditional use rezoning. He presented a map and detailed various aspects of the property with respect to the conditions of the rezoning request; he stated he had made efforts to contact and communicate with neighborhood residents about the proposal.

There being no one else wishing to speak to these matters, Councilmember Burroughs-White moved to close the public hearing. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of the Council.

Mr. Martin provided the following staff recommendations:

#### Item 8 – Yanceyville Road

The Planning Department recommends that this original zoning be approved.

As currently zoned by Guilford County, a shopping center could be developed on the entirety of this tract.

However, by condition, the western portion of the property will not be developed under this multifamily proposal.

The overall density for this proposed development is 10.3 units per acre.

This proposed original zoning is consistent with the Northwinds Apartments which abut this property on the south and which are zoned CU-RM-12 and contain 200 units on 23.9 acres (8.3 units per acre).

The slightly higher density is easily justified since this property is bordered on two sides by the Urban Loop.

This request is consistent with the Pisgah Church Road/Lees Chapel Road Corridor Plan which calls for this subcorridor to be developed as a mix of single family and multifamily housing.

In fact, the plan addresses the fact that multifamily residential zoning should be introduced north of the Lees Chapel Road/Yanceyville Road intersection to help preserve the residential nature of this subcorridor.

#### Item 9 – Yanceyville Road

The Planning Department recommends that this original zoning proposal be approved.

A good portion of the Urban Loop right-of-way is presently zoned RM-8 and that is also the zoning classification to the north for a portion of the corridor.

As a result, this is a reasonable zoning category for the initial zoning of the subject property.

Councilmember D. Vaughan thereupon moved adoption of the ordinance annexing territory to the corporate limits of property located on the west side of Yanceyville Street – 48.51 acres. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-113 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE WEST SIDE OF YANCEYVILLE STREET – 48.51 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of March 31, 2001), said point being the southeast corner of Lot 1 of Turnbridge Apartments, Phase 2, as recorded at Plat Book 132, Page 50 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS N 58° 29' 54" E 1013.40 feet along the south line of Lot 1 (14.943 acres) of Turnbridge Apartments, as recorded at Plat Book 118, Page 149 in the Office of the Register of Deeds to a point in the western right-of-way line of Yanceyville Street; thence in a southerly direction with said right-of-way line approximately 1,500 feet to its intersection with the south line of Barcroft Associates; thence with Barcroft's south line the following bearings and distances: N 89° 28' 40" W 200.58 feet to a point, N 89° 31' 05" W 100.10 feet to a point, N 89° 27' 53" W 97.94 feet to a point, N 89° 29' 13" W 91.98 feet to a point, N 89° 29' 50" W 88.80 feet to a point, N 89° 27' 30" W 350.82 feet to a point, N 1° 25' 23" E 35.04 feet to a point, N 89° 26' 48" W 895.83 feet to a point, S 0° 33' 49" W 34.76 feet to a point, N 89° 16' 31" W 99.08 feet to Barcroft's southwest corner; thence S 89° 24' 57" W approximately 680 feet along the former south line of Barcroft to the intersection of said line and the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a northerly and then a northeasterly direction approximately 2150 feet to the point and place of BEGINNING, and containing approximately 48.51 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

(Signed) Donald R. Vaughan

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Councilmember D. Vaughan moved adoption of the ordinance establishing original zoning classification from County Zoning Shopping Center to City Zoning Conditional Use -RM-12 Residential Multifamily for property located on the west side of Yanceyville Road between Peach Orchard Drive and Lorraine Street based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use of the property for multifamily dwellings units.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure

the value of adjoining or abutting property because multifamily will be a less intensive land use than what would be allowed under the current Shopping Center zoning and because the tract is bordered on two sides by the Urban Loop corridor.

- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because this proposal is consistent with the Pisgah Church Road/Lees Chapel Road Corridor Plan which calls for this subcorridor to be developed as a mix of single family and multifamily housing.

The motion was seconded by Councilmember Burroughs-White; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-114 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

WEST SIDE OF YANCEYVILLE ROAD BETWEEN PEACH ORCHARD DRIVE AND LORRAINE STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Shopping Center to City Zoning Conditional Use – RM-12 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at the intersection of the western right-of-way line of Yanceyville Street and the south line of Barcroft Associates; thence with Barcroft's south line the following bearings and distances: N 89° 28' 40" W 200.58 feet to a point, N 89° 31' 05" W 100.10 feet to a point, N 89° 27' 53" W 97.94 feet to a point, N 89° 29' 13" W 91.98 feet to a point, N 89° 29' 50" W 88.80 feet to a point, N 89° 27' 30" W 350.82 feet to a point, N 1° 25' 23" E 35.04 feet to a point, N 89° 26' 48" W 895.83 feet to a point, S 0° 33' 49" W 34.76 feet to a point, N 89° 16' 31" W 99.08 feet to Barcroft's southwest corner; thence N 58° 04' 16" E 327.72 feet to a point; thence N 61° 09' 37" E 778.02 feet to a point; thence N 89° 46' 17" E 921.59 feet to a point; thence S 19° 08' 20" E 129.12 feet to a point in the western right-of-way line of Yanceyville Street; thence in a southerly direction with said right-of-way line 448.97 feet to the point and place of BEGINNING, and containing approximately 18.04 acres.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Uses limited to apartments and accessory uses.
- 2) That only 192 dwelling units be constructed.
- 3) That no trees be cut west of the existing creek and no building construction west of the creek.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective upon the date of annexation.

(Signed) Donald R. Vaughan

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Councilmember D. Vaughan thereupon moved adoption of the ordinance amending official zoning map west side of Yanceyville Road between Peach Orchard Drive and Lorraine Street. The motion was seconded by Councilmember Burroughs-White and adopted on the following roll call vote:

01-115 AMENDING OFFICIAL ZONING MAP WEST SIDE OF YANCEYVILLE ROAD BETWEEN PEACH ORCHARD DRIVE AND LORRAINE STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Shopping Center and RM-8 Residential Multifamily to City Zoning RM-8 Residential Multifamily uses for the area described as follows:

BEGINNING at a point in the existing Greensboro city limit line (as of March 31, 2001), said point being the southeast corner of Lot 1 of Turnbridge Apartments, Phase 2, as recorded at Plat Book 132, Page 50 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS N 58° 29' 54" E 1013.40 feet along the south line of Lot 1 (14.943 acres) of Turnbridge Apartments, as recorded at Plat Book 118, Page 149 in the Office of the Register of Deeds to a point in the western right-of-way line of Yanceyville Street; thence in a southerly direction with said right-of-way line approximately 1050 feet to its intersection with the north line shown on a survey map by Joseph G. Stutts entitled "Boundary Map for Blackthorn Apartments"; thence with Blackthorn's north line the following bearings and distances: N 19° 08' 20" W 129.12 feet to a point, S 89° 46' 17" W 921.59 feet to a point, S 61° 09' 37" W 778.02 feet to a point, S 58° 04' 16" W 327.72 feet to Blackthorn's southwest corner; thence S 89° 24' 57" W approximately 680 feet along the former south line of Barcroft Associates to the intersection of said line and the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a northerly and then a northeasterly direction approximately 2150 feet to the point and place of BEGINNING, and containing approximately 30.47 acres.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Donald R. Vaughan

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The Mayor stated that this was the time and place set to consider a resolution confirming assessment roll for roadway improvements on Lawndale Drive from 800 + north of Regents Park Lane to City Limits (west side only) and Lawndale Drive from Beaconwood Drive to City Limits (east side only).

The Mayor asked if anyone wished to speak to the matter. There being no one wishing to speak to this matter, Councilmember Perkins moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

117-01 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

LAWNDALE DRIVE FROM 800' + NORTH OF REGENTS PARK LANE TO CITY LIMITS  
(WEST SIDE ONLY) AND  
LAWNDALE DRIVE FROM BEACONWOOD DRIVE TO CITY LIMITS  
(EAST SIDE ONLY)

WHEREAS, on the 20th day of May, 1991, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on one side with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

LAWNDALE DRIVE

From +/- 800 North of Regents Park Lane to Old City Limits

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 15th day of May, 2001, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Robert V. Perkins

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for roadway improvements on Lake Brandt Road from Old Battleground Avenue to Lawndale Drive.

The Mayor asked if anyone wished to be heard.

There being no one desiring to speak to this matter, Councilmember Johnson thereupon moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

118-01 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

LAKE BRANDT ROAD FROM  
OLD BATTLEGROUNDA AVENUE TO LAWNDALE DRIVE



WHEREAS, on the 1st day of May, 1989, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on both sides with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

LAKE BRANDT ROAD

Old Battleground Road to Approximately 900' West of Lawndale Drive

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 15th day of May, 2001, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Yvonne Johnson

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance amending the previously adopted Redistricting Plan and amending Section 2.43 of the Greensboro City Charter with respect to Electoral Districts.

Following brief comments by the Manager on the proposed changes, Steve Sherman, Manager of the GIS Division of Information Systems, provided maps to Council and explained that a correction had been made to the map adopted at Council's preceding meeting. The City Attorney described the proposed district changes and the

anticipated impact they would have in terms of population makeup and physical characteristics, noting past legal rulings had set these precedents. She stated that the map provided was the proposed amendment to action the City Council took at their previous regular meeting.

The Mayor asked if anyone wished to speak to the matter.

Bill Burckley, residing at 711 Morehead Avenue; John Wilson, residing at 810 Walker Avenue; Noel Jones, residing at 816 Walker Avenue and Richard Jackson, residing at 438 S. Mendenhall Street; stated they were former president's of the College Hill Neighborhood Association, spoke to the history of district changes in the City, and requested Council to amend the proposed district change to allow Councilmember Carmany to continue to serve as their representative.

Following brief discussion by Council, Councilmember Jones stated he would support the amendment proposed by the College Hill residents. Councilman Phillips expressed concern about addressing that type of request in a fair manner. Councilmember Carmany stated that she would continue to support College Hill residents regardless of district boundary changes.

Councilmember Phillips moved adoption of the ordinance. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Perkins, Phillips, Vaughan and Vaughan. Noes: Jones.

#### 01-116 AMENDING CHAPTER 2

#### AN ORDINANCE AMENDING THE PREVIOUSLY ADOPTED REDISTRICTING PLAN AND AMENDING SECTION 2.43 OF THE GREENSBORO CITY CHARTER WITH RESPECT TO ELECTORAL DISTRICTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That subsection (a) of Sec. 2.43 of the Greensboro City Charter is hereby amended by rewriting said subsection to read as follows:

“(a) Adoption of official electoral district boundary map. Pursuant to Article 4 and Article 5 of Chapter 160A of the General Statutes of North Carolina (G.S. 160A-21, et seq., 160A-59, et seq.), the City of Greensboro is hereby divided into five (5) electoral districts to be known by numbers 1, 2, 3, 4, and 5. Such districts shall be drawn on an official “Electoral District Boundary Map” which shall be retained permanently in the office of the City Clerk. The boundaries of each district under the present corporate limits as it exists on May 15, 2001 are hereby established as shown on said official map dated May 15, 2001 and which map is hereby adopted and incorporated herein by reference and made a part hereof. A separate metes and bounds description shall not be deemed to be required or necessary in establishing electoral district boundaries or any amendments thereto.”

Section 2. That the above amendment to the electoral district boundaries shall be codified by appropriate entries upon the official “Electoral District Boundary Map” and shall be permanently retained in the office of the City Clerk.

Section 3. That all laws and ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be come effective immediately upon publication thereof as provided by Section 3.42(c) of the City Charter, and the provisions and amendments made hereunder shall be applicable beginning with the opening date of the filing period for the next ensuing municipal election for Mayor and City Council.

(Signed) Thomas M. Phillips

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Moving to the Consent Agenda, Councilmember D. Vaughan moved adoption of the Consent Agenda. The

motion was seconded by Councilmember Jones; the Consent Agenda was adopted on the following roll call vote:  
Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes:  
None.

01-117 ORDINANCE ESTABLISHING GRANT PROJECT BUDGET FOR FISCAL YEAR 1998 FTA  
SECTION 5309 CAPITAL ASSISTANCE PROGRAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Grant Project budget for the FY 1998 FTA Section 5309 Capital Assistance Program be established for the  
life of the project as follows:

Account	Description	Amount
565-4546-01.6051	Licensed Vehicles	\$430,000

And, that the grant project budget be financed by the following revenue:

Account	Description	Amount
565-4546.01.7100	Federal Grant	\$344,000
565-4546-01.7110	State Grant	43,000
565-4546-01.9564	Transfer from Transit Fund	43,000
Total		\$430,000

(Signed) Donald R. Vaughan

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01-118 ORDINANCE AMENDING THE GENERAL CAPITAL PROJECTS IMPROVEMENT FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appropriation for the General Capital Projects Improvement Fund be decreased as follows:

Account	Description	Amount
410-5003-07.6013	Parks and Recreation Scene Shop	\$296,950
410-5003-08.6019	Bryan Park @ Guilford County	\$290,000
410-5003-05.6059	Bryan Park Mixing Containment Bldg.	\$150,000
410-5003-04.6019	Bryan Park Storage Tank Removal	\$100,000
Total		\$836,950

And, that this decrease be financed by decreasing the following General Capital Projects Improvement Fund  
account:

Account	Description	Amount
410-0000-00.9101	Transfer from General Fund	\$836,950

(Signed) Donald R. Vaughan

.....

01-119 ORDINANCE AMENDING THE STATE AND FEDERAL GRANT PROJECT FUND BUDGET FOR  
COST REIMBURSEMENT AGREEMENT BETWEEN THE GREENSBORO POLICE DEPARTMENT  
AND HUD/OFFICE OF INSPECTOR GENERAL

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Budget of the City of Greensboro is hereby amended as follows

That the appropriation for the State and Federal Grants Fund be increased as follows:

Account	Description	Amount
220-3565-01.4210	Overtime	\$25,905
220-3565-01.4510	F.I.C.A. (1.45%)	\$435
220-3565-01.4520	Retirement (12.2%)	\$3,660
220-3565-01.5213	Office Supplies	\$1,500
220-3565-01.5520	Seminar/Training	\$3,500
220-3565-01.5949	Miscellaneous	\$50,000
Total		\$85,000

And, that this increase be financed by increasing the following State and Federal Grants Fund accounts:

Account	Description	Amount
220-3565-01.7170	State and Federal Grant Fund	\$85,000
Total		\$85,000

(Signed) Donald R. Vaughan

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#### 01-120 AMENDING CHAPTER 6

#### AN ORDINANCE AMENDING CHAPTER 6 OF THE GREENSBORO CODE OF ORDINANCES WITH REPESECT TO BUILDINGS AND BUILDING REGULATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Sec. 6-42 of the Greensboro Code of Ordinances is hereby amended by deleting the entire section as follows:

~~Sec. 6-42. Board of building appeals.~~

~~(a) There is hereby created a board to be known as the Greensboro Board of Building Appeals.~~

~~(b) The Greensboro Board of Building Appeals shall consist of nine (9) members who shall be appointed by the city council for terms to expire as of August 15. One (1) member shall be a licensed architect; one (1) member shall be a licensed building contractor; one (1) member shall be a licensed fire insurance agent; and six (6) members shall be members at large.~~

~~(c) The duties of the board shall be as follows:~~

~~(1) Hear and determine appeals from decisions of the building inspector or any provision of the building code.~~

~~(2) Consider proposals to amend the building code and report its recommendations thereon to the council.~~

~~(3) Perform such other duties as may be assigned it from time to time by the council.~~

~~(Code 1961, §§ 2-83, 2-84; Ord. No. 98-164, § 1, 10-20-98)~~

~~Charter reference(s) Board of building appeals, § 5.72.~~

~~Cross reference(s) Boards and commissions generally, § 2-136 et seq.~~

Section 2. That Sec. 6-43 of the Greensboro Code of Ordinances is hereby amended by deleting the entire section as follows:

~~Sec. 6-43. Appeals. (a) An appeal to the board of building appeals may be taken from any decision or order of the building inspector by any person aggrieved thereby or by any officer, board, or commission of the city. Any appeal from the building inspector to the board shall be taken within a reasonable time as prescribed by the rules of the board, and shall be taken by filing with the building inspector and with the secretary of the board a notice of appeal which shall specify the grounds upon which the appeal is based. Upon the filing of notice of appeal, the building inspector shall forthwith transmit to the board all the papers constituting the record upon which the decision appealed from was made.~~

~~(b) The board may reverse or affirm, wholly or partly, or may modify the decision appealed from, and may make such decision and order as in its opinion ought to be made in the matter, and to that end it shall have all the powers of the building inspector. In passing upon appeals, the board shall have power not only to determine whether the decision of the building inspector is made upon a proper construction of the pertinent provisions of the building code, but it shall have power also to allow materials and methods of construction other than those required by the building code to be used when in its opinion such other materials and methods of construction are as good as those required by the code; and for this purpose the requirements of the building code as to such matters shall be considered simply as a standard to which construction shall conform.~~

~~(c) When an appeal is from a decision of the building inspector refusing to allow the person aggrieved thereby to do any act, the decision of the building inspector shall remain in force until modified or reversed by the board.~~

~~(d) When an appeal is from a decision of the building inspector requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirements of the building inspector until the hearing thereon by the board, unless the building inspector certifies to the board, after the notice of appeal is filed with him, that by reason of the facts stated in the certificate (a copy of which shall be furnished the appellant), a suspension of his requirement would, in his opinion, cause imminent peril to life or property, in which case the requirement shall not be suspended except by a restraining order, which may be granted, for due cause shown and upon not less than one (1) days' written notice to the building inspector, by the board or by any judge of the superior court authorized by law to grant restraining orders. The concurring vote of five (5) members of the board shall be necessary to reverse or modify any decision of the building inspector.~~

~~(e) The board shall fix a reasonable time for the hearing of all appeals and shall render its decisions within a reasonable time.~~

~~(f) Upon the hearing of any appeal any party may appear in person or by agent or attorney.~~

~~(g) Every decision of the board shall be subject to review by the superior court of the county by proceedings in the nature of certiorari, but not otherwise.~~

~~(Code 1961, §§ 2-92, 2-93, 2-95, 2-96, 2-4 5; Ord. No. 98-164, § 2, 10-20-98)~~

Section 3. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall become effective immediately upon its adoption.

(Signed) Donald R. Vaughan

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#### 119-01 RESOLUTION APPROVING OF DELETION OF A PORTION OF SR3841, SR3163, SR3842 AND SR1986 FROM THE STATE HIGHWAY SYSTEM

WHEREAS, in reviewing the status of State Highway System Streets with officials of the State Highway Commission, it has been determined that certain deletions should be made on the State Highway System Streets within the corporate limits of the City of Greensboro;

WHEREAS, there are certain streets which should be deleted from the State Highway System Plan for state responsibility and maintenance, said streets being as follows:

Streets to be Deleted

1. West Market Street from Eugene Street to Elm Street.
2. East Market Street from Elm Street to Dudley Street.
3. East Market Street from Dudley Street to English Street.
4. West Friendly Avenue from Eugene Street to Elm Street.
5. East Friendly Avenue from Elm Street to Dudley Street.
6. Industrial Village Drive from Beginning of new section to Triad Drive.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the deletions in the State Highway System Streets as shown above are hereby approved and shall become effective upon approval by the State Highway Commission.

(Signed) Donald R. Vaughan

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120-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2001-10 WITH YATES CONSTRUCTION CO. FOR SOUTH BUFFALO SEWER OUTFALL IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for sanitary sewer improvements for the South Buffalo Sewer Outfall improvements project;

WHEREAS, Yates Construction Co., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$202,887.50 as general contractor for Contract No. 2001-10, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Yates Construction Co. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from 509 Revenue Bond Funds, said account number to be determined.

(Signed) Donald R. Vaughan

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121-01 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-08A WITH KENNETH R. GREENE, UTILITY CONTRACTOR INC. FOR SANITARY SEWER REHABILITATION PROJECT "E" IMPROVEMENTS

WHEREAS, Contract No. 2001-08A with Kenneth R. Greene, Utility Contractor, Inc. provides for sanitary sewer rehabilitation Project "E" improvements;

WHEREAS, due to special conditions of the Contract, the City reserves the right to extend this Contract as a "Unit Price Contract" for a period of 12 months from the award date, thereby necessitating a change order in the contract in the amount of \$204,675.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Kenneth R. Greene, Utility Contractor, Inc. for the Sanitary Sewer Rehabilitation Project "E" Improvements is hereby authorized at a total cost of \$204,675.00, payment of said additional amount to be made from Account No. 503-7062-01.6017 (003).

(Signed) Donald R. Vaughan

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122-01 RESOLUTION APPROVING APPLICATION FOR LEAD-BASED PAINT HAZARD CONTROL GRANT

WHEREAS, the Housing Rehabilitation Loan and Grant Programs were duly established and approved in November 1975 by the City Council; and

WHEREAS, studies indicated that nationwide, more than 890,000 children have excessive amounts of lead in their bodies, that 64 million homes have lead- based paint, and that 20 million homes have conditions that are likely to expose families to unsafe levels of lead; and

WHEREAS, the 1992 Housing and Community Development Act included Title X ("Title Ten") which represented a sweeping new approach to the lead-based paint problem that required a comprehensive rethinking of the Department of Housing and Urban Development's (HUD) lead-based paint regulations; and

WHEREAS, HUD determined the practical need to balance cost effective, affordable lead-based paint hazard controls with the duty to protect children living in property that is assisted by the Federal government and began implementation of the new lead-based paint regulations on September 15, 2000;

WHEREAS, HUD instituted the Super Notice of Funding Availability (SuperNOFA) in 1998 to provide for competitive grant applications for 39 HUD grant programs including lead-based paint hazard control;

WHEREAS, the City of Greensboro has responded to the needs of the community relative to lead-based paint hazard control by preparing a Lead-Based Paint Hazard Control Grant application in the amount of \$3,000,000.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF GREENSBORO;

1. That the City Manager is hereby authorized to submit an application to the Department of Housing and Urban Development (HUD) for a \$3,000,000 Lead-Based Paint Hazard Control Grant.
2. That the conduct of a Lead-Based Paint Hazard Control Program activity in whole or in part by the City of Greensboro and/or designees is here by authorized and approved.
3. That the City of Greensboro is fully cognizant of the obligations, responsibilities, and requirements accompanying the acceptance of a SuperNOFA Grant and that it is the sense of this body that such obligations, responsibilities, and requirements will be fulfilled.

(Signed) Donald R. Vaughan

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123-01 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF JOHN M. DARDEN, III FOR THE RELOCATION OF FIRE STATION 11

WHEREAS, in connection with the relocation of Fire Station 11, the property owned by John M. Darden, III, Tax Map No. 248-1-3 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property was previously recommended for condemnation and has been appraised at a value of \$280,000.00;

WHEREAS, the owner has agreed to settle for the price of \$310,577.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price of the above mentioned portion of property in the amount of \$310,577.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 445-4004-01.6011 CBR 001.

(Signed) Donald R. Vaughan

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124-01 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-15A WITH VIA ELECTRIC INC. FOR MITCHELL FILTER PLANT IMPROVEMENTS

WHEREAS, Contract No. 2000-15A with Via Electric, Inc. provides for Mitchell Filter Plant improvements;

WHEREAS, the low voltage system is in great need of extensive and immediate repair, thereby necessitating a change order in the contract in the amount of \$250,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Via Electric, Inc. for the Mitchell Filter Plant Improvements is hereby authorized at a total cost of \$250,000.00, payment of said additional amount to be made from Account No. 509-7063-01.6019, CBR 001.

(Signed) Donald R. Vaughan

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125-01 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-19 WITH ENVIRONMENTAL PIPELINE REHABILITATION, INC. FOR SANITARY SEWER REHABILITATION PROJECT "F" IMPROVEMENTS

WHEREAS, Contract No. 2001-19 with Environmental Pipeline Rehabilitation, Inc. provides for sanitary sewer rehabilitation Project "F" improvements;

WHEREAS, due to special conditions of the Contract, the City reserves the right to extend this Contract as a "Unit Price Contract" for a period of 12 months from the award date, thereby necessitating a change order in the contract in the amount of \$99,553.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Environmental Pipeline Rehabilitation, Inc. for the Sanitary Sewer Rehabilitation Project "F" Improvements is hereby authorized at a total cost of \$99,553.00, payment of said additional amount to be made from Account No. 503-7062-01.6017 (003).

(Signed) Donald R. Vaughan



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126-01 RESOLUTION CALLING A PUBLIC HEARING FOR JUNE 5, 2001 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON GRANDOVER PLAT 30, SECTION 6-8, PARCEL E – 2.182 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 5th day of June, 2001, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON GRANDOVER PLAT 30, SECTION 6-8, PARCEL E – 2.182 ACRES)

Section 1. Pursuant to G.S. 160A-58.1 the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point on the southern right-of-way of Creswell Court (private street), said point having N.C. grid coordinates as follows: N = 819,608.99 E = 1,740,911.04; THENCE with the southern right-of way of Creswell Court South 38 degrees 16 minutes 16 seconds West for a distance of 84.00 feet to a point; THENCE with the southern right-of-way of Creswell Court along a curve to the right having a radius of 345.00 feet and an arc length of 97.61 feet, being subtended by a chord of South 46 degrees 24 minutes 54 seconds West for a distance of 97.28 feet to a point in the existing Greensboro city limits (as of April 30, 2001); THENCE with the existing city limits crossing Creswell Court North 35 degrees 35 minutes 08 seconds West for a distance of 50.01 feet to a point; THENCE with the northern right-of-way of Creswell Court along a curve to the right having a radius of 294.99 feet and an arc length of 47.96 feet, being subtended by a chord of South 59 degrees 04 minutes 19 seconds West for a distance of 47.91 feet to a point; THENCE with the northern right-of-way of Creswell Court South 63 degrees 43 minutes 46 seconds West for a distance of 170.80 feet to a point; THENCE with the northern right-of-way of Creswell Court South 63 degrees 43 minutes 46 seconds West for a distance of 138.95 feet to a point; THENCE with the northern right-of-way of Creswell Court along a curve to the left having a radius of 344.70 feet and an arc length of 50.53 feet, being subtended by a chord of South 59 degrees 32 minutes 46 seconds West for a distance of 50.48 feet to a point; THENCE North 38 degrees 58 minutes 35 seconds West for a distance of 114.49 feet to a point; THENCE North 04 degrees 17 minutes 02 seconds West for a distance of 47.05 feet to a point; THENCE North 32 degrees 43 minutes 43 seconds East for a distance of 137.12 feet to a point; THENCE North 61 degrees 22 minutes 49 seconds East for a distance of 49.52 feet to a point; THENCE South 55 degrees 50 minutes 51 seconds East for a distance of 109.06 feet to a point; THENCE North 63 degrees 23 minutes 52 seconds East for a distance of 71.73 feet to a point; THENCE departing from the existing city limits North 38 degrees 25 minutes 30 seconds East for a distance of 178.57 feet to a point; THENCE South 48 degrees 54 minutes 12 seconds East for a distance of 178.07 feet to a point on the northern right-of-way of Creswell Court; THENCE with the northern right-of-way of Creswell Court North 38 degrees 16 minutes 16 seconds East for a distance of 53.36 feet to a point; THENCE crossing Creswell Court South 51 degrees 43 minutes 44 seconds East for a distance of 50.00 feet to the POINT AND PLACE OF BEGINNING containing 2,182 acres more or less.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after August 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 10/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after August 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That June 5, 2001, at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than May 26, 2001.

(Signed) Donald R. Vaughan

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#### 01-121 AMENDING CHAPTER 2

AN ORDINANCE AMENDING CHAPTER 2 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ADMINISTRATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Section 2-16 of the Greensboro Code of Ordinances is hereby amended by setting a special meeting of the City Council for 6:00 p.m. on May 22, 2001, for the purpose of conducting a public hearing on the budget.

Section 2. That this ordinance is effective immediately upon adoption.

Section 3. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Donald R. Vaughan

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#### 01-122 AMENDING CHAPTER 2

AN ORDINANCE AMENDING CHAPTER 2 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ADMINISTRATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Section 2-16 of the Greensboro Code of Ordinances is hereby amended by setting a special meeting of the City Council for 6:00 p.m. on June 28, 2001, for the purpose of conducting a District 2 Council meeting to be held at the Guilford County Agricultural Building Auditorium, 3309 Burlington Road, Greensboro .

Section 2. That this ordinance is effective immediately upon adoption.

Section 3. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Donald R. Vaughan

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Motion to make a part of the minutes a report of budget adjustments covering April 1-30, 2001 was unanimously adopted by Council. (A copy of the report is filed in Exhibit Drawer N, Exhibit Number 1, which is hereby referred to and made a part of these minutes.)

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Motion to approve minutes of regular meeting of 1 May 2001 was unanimously adopted by Council.

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The Mayor introduced a resolution providing for the giving of notice to voters of the City of Greensboro of the 2001 biennial municipal election and establishing a filing fee in relation thereto and provided a brief outline of the schedule.

Councilmember D. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

127-01 RESOLUTION PROVIDING FOR THE GIVING OF NOTICE TO VOTERS OF THE CITY OF GREENSBORO OF THE 2001 BIENNIAL MUNICIPAL ELECTION AND ESTABLISHING A FILING FEE IN RELATION THERETO

WHEREAS, in order that registered voters of the City of Greensboro may be appropriately notified of the forthcoming biennial municipal election, the City Council shall give notice of such election in accordance with the City Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That the City Clerk be and she is hereby directed to publish this resolution which shall serve as notice of the regular biennial municipal election for Mayor and City Council to be held on Tuesday, the 6th day of November, 2001. And as notice of the primary election to be held on Tuesday, the 9<sup>th</sup> day of October, 2001.

Section 2. That all persons desiring to enter the said primary election shall file notice of their candidacy with the Guilford County Board of Elections; provided, no person may officially file his notice of candidacy before 12:00 noon on the 23rd day of July, 2001, nor after 12:00 o'clock noon on the 10th day of August, 2001, said notice of candidacy to be filed as prescribed by Chapter 163, Section 294.2 of the General Statutes of North Carolina.

Section 3. That, with respect to the seats apportioned to the City at large, only persons who are registered to vote in the City of Greensboro shall be permitted to file notice of candidacy for election to municipal office; provided, that with respect to the seat apportioned to each district within the City, only persons who are registered to vote in the City of Greensboro and who reside within the particular district for which seat they file shall be permitted to file notice of candidacy for election to municipal office. The provision of G.S. 163-294.2(b) shall be applicable.

Section 4. That at the time of filing a notice of candidacy, each candidate for City Council shall pay to the Guilford County Board of Elections a filing fee in the amount of \$25.00 and each candidate for Mayor shall pay to the Guilford County Board of Elections a filing fee in the amount of \$75.00.

Section 5. That registration for the municipal primary election closes at 5:00 p.m. on the 14th day of September, 2001, and registration for the municipal general election closes at 5:00 p.m. on the 12th day of October, 2001.

Section 6. That this resolution shall be published one time not later than July 6, 2001, as notice of the biennial municipal election to be held in 2001, and a certified copy of this resolution shall be filed with the Guilford County Board of Elections as notice to conduct said municipal election as required by law.

(Signed) Donald R. Vaughan

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Sheko Poteete, residing at 2130 Everitt Street, stated he had submitted grant applications to the Housing and Community Development Department and had spoken with staff about the application process. He presented photographs and details with respect to his plans and requested Council to allocate funding to him.

The City Manager briefly explained aspects of grant application and budget processes; he stated Council would be provided with Mr. Poteete's grant application information for further consideration and staff would follow up on the matter. The Mayor spoke briefly to the Council's authority with respect to funding requests.

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Council discussed numerous meeting proposals for upcoming special meetings in districts.

Councilmember Johnson moved to cancel the May 22, 2001 Council briefing. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of the Council.

In consideration of vacation schedules, Councilmember Phillips moved to cancel the July 3<sup>rd</sup> Council meeting. The motion was seconded by Councilmember Jones and unanimously adopted by voice vote of the Council.

Following discussion concerning a Fed Ex public hearing scheduled for July 26, 2001 by Guilford County Commissioners, Councilmember Jones moved to set the District 1 special meeting (originally proposed for July 26, 2001) for July 31, 2001, with the time and location to be set at a later date. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of the Council.

The Manager noted the dates being considered for other Special District Council Meetings. Councilmembers Phillips and Perkins expressed concerns with respect to agenda setting, publicity, attendance and expense of the proposed special meetings. The Manager stated staff would work with Council to set agendas and that publicity beyond the normal procedures for notifying the public of Council meetings could be arranged at the direction of Council. Several Councilmembers shared their opinions with respect to desirable agenda format and publicity methods.

At the City Manager's recommendation, Councilmember Johnson moved that Council Budget work sessions be scheduled for May 21, 2001 from 2:00 to 5:00 p.m. and for May 29, 2001 from 1:00 to 5:00 p.m. in the Plaza Level Conference Room of the Melvin Municipal Office Building.

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At the request of Councilmember Carmany, the City Attorney verified that the district changes adopted at this meeting would become effective when approved by the Justice Department.

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Councilmember Phillips expressed concern with respect to bidding process on a multi-modal center contract. Assistant City Manager Johnson explained the legal basis for the City's decision to rebid the contract.

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Councilmembers Burroughs-White and Johnson complimented Code Enforcement staff for their recent

progress in addressing abandoned vehicles. The Manager stated that Steve Kennedy, Engineering Department Director, could provide an update on recent changes to interested Councilmembers, noting that this had been scheduled for the May 22<sup>nd</sup> briefing.

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Councilmember Carmany moved that Elaine Ernest be appointed to fill the unexpired portion of term of Caroline Bratton on the Commission for the Status of Women for District 5; this term will expire 15 August 02. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of the Council.

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Councilmember Burroughs-White added the name of Joseph Howard Daniels, II to the boards and commissions data bank for consideration for future service on the Greensboro Community Television Board.

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Councilmember Johnson added the names of Deborah Bigleano and Alfred Web to the boards and commissions data bank for consideration for future service.

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Councilmember D. Vaughan added the name of Fred Carlton to the boards and commissions data bank for consideration for future service on the Insurance Advisory Commission as a licensed insurance agent.

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Mayor Holliday added the name of Marsha Glazman to the boards and commissions data bank for consideration for future service.

The Mayor noted that Joanne Schlaginhaufen, a member of the ABC Board whose term would expire on July 3, 2001 also served as a member of the North Carolina and National ABC Boards. He asked the City Attorney if her current term could be extended to expire in conjunction with her terms on these boards. The City Attorney advised that Council could delay a replacement for Ms. Schlaginhaufen and thereby allow her to continue to serve or they could amend the ordinance. It appeared to be the consensus of Council to delay the appointment of a replacement for Ms. Schlaginhaufen.

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Council discussed various upcoming and recent community events. The City Manager advised the Council of upcoming meetings that were City related including Town Hall Day, a North Carolina Highway 68 Corridor and Comprehensive Plan Draft Vision Statement Review meetings.

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Councilmember Johnson moved that the City Council adjourn. The motion was seconded by Councilmember Burroughs-White and unanimously adopted by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 8:15 P.M.

SUSAN E. CROTTS  
DEPUTY CITY CLERK

KEITH A. HOLLIDAY  
MAYOR

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